

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

STENIO DESOUZA, and  
RAQUEL DESOUZA,

Plaintiffs,

v.

PETTINARO CONSTRUCTION, CO., INC.  
PETTINARO ASSOCIATES, INC.,  
PETTINARO ENTERPRISES, PETTINARO  
ENTERPRISES. LLC, PETTINARO  
RELOCATION, LLC, QUEENSBURY  
VILLAGE, INC., ARCHITECTURE PLUS, P.A.  
LANDMARK ENGINEERING, INC.  
MID-ATLANTIC REALTY, J.N. CAPPENTRY,  
INC., a/k/a/p/d/f/d/b/a, JN CARPENTRY, INC.,  
NJ CARPENTRY, and/or JN CARPENTER, INC.  
E.F. CARPENTER, INC., U.S. BUILDERS ASSOC.,  
LLC, U.S. CONSTRUCTION, INC. a/k/a/pf/d/b/a  
U.S. CONSTRUCTION, and/or U.S.  
CONSTRUCTION, LLC, U.S. CONSTRUCTION,  
JOSE H. RODRIGUES, a/p/f/k/a JOSE RODRIGUES )  
JOSES G. RODRIGUES, and/or JOSE RODRIGUEZ, )  
and/or JOSE M. RODRIGUEZ, and/or GOSE )  
RODRIGUES, and/or JOSE HENRIQUES )  
PEREIRA RODRIGUES, JOSE G. RODRIGUES, )  
JOSE HENRIQUE PEREIRA RODRIGUES, )  
JOSE RODRIGUEZ, JOSE M. RODRIGUEZ, )  
GOSE RODRIGUES, NINO RODRIGUES, )  
a/p/f/k/a ANTONIO G. RODRIGUES, and/or )  
ANTONIO O. RODRIGUES, and/or ANTONIO )  
RODRIGUES, ANTONIO G. RODRIGUES, )  
ANTONIO O. RODRIGUES, AND ANTONIO )  
RODRIGUES, )

Defendants.

C.A. No.: 05-787 (SLR)

JURY TRIAL DEMANDED

**PROPOSED SCHEDULING ORDER**

At Wilmington, this \_\_\_\_\_ day of \_\_\_\_\_, 2006, having satisfied their obligations under Fed.R. Civ.P.26(f), and the court having conducted a pretrial scheduling conference pursuant to Fed.R.Civ.P. 16 and D.Del. LR 16.2(a) and (b)

IT IS ORDERED that:

1. **Pre-Discovery Disclosures:** The parties will exchange by August 28, 2006 the information required by Fed.R.Civ.P. 23(a)(1) and D.Del. LR 16.2.

2. **Discovery.**

(a) Discovery will be needed on the following subjects: (brief description of subjects on which discovery will be needed).

(b) All discovery shall be commenced in time to be completed by March 28, 2007.

(c) Maximum of 30 interrogatories by each party to any other party.

(d) Maximum of 30 requests for admission by each party to any other party.

(e) Maximum of 20 depositions by plaintiff and 10 by defendant.

(f) Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.

(g) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by January 15, 2007. Rebuttal expert reports due by February 15, 2007.

(h) **Discovery Disputes.** Any discovery dispute shall be submitted to the court pursuant to Fed.R.Civ.P. 37. during the course of discovery, each party is limited to **two (2)** Rule 37 motions. The court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

3. **Joinder of other Parties, Amendment of Pleadings, and Class Certification.** All motions to join other parties, amend the pleadings, and certify a class action shall be filed on or before September 30, 2006.

4. **Settlement Conference**: Pursuant to 28 U.S.C. §636, this matter is referred to Magistrate Judge Thyng for the purposes of exploring ADR.

5. **Summary Judgment Motions**: all summary judgment motions shall be served and filed with an opening brief on or before March 28, 2007. Briefing shall be pursuant to D.Del. LR 7.1.2. No summary judgment motion may be filed more than **ten (10)** days from above date without leave of the court.

6. **Applications by Motion**: Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to chambers. **Any non-dispositive motion shall contain the statement required by D.Del. LR 7.1.1.**

7. **Motions in Limine**: To be scheduled by the Court

8. **Pretrial Conference**: A pretrial conference will be held on \_\_\_\_\_ at \_\_\_\_\_ .m. in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D.Del. LR 16.4 shall govern the pretrial conference.

9. **Trial**: This matter is scheduled for a [day/week] bench/jury commencing on \_\_\_\_\_, in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. For the purposes of completing pretrial preparations, the parties should plan on being allocated a number of hours in which to present their respective cases.

---

The Honorable Sue L. Robinson